

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO • WESTERN DIVISION (AT CINCINNATI)

PHYSICIANS HEALTHSOURCE, INC., )  
individually and as the representative of a class of )  
similarly situated persons, )

Plaintiff,

V.

IPC, INC d/b/a PLATINUMCODE, and  
JOHN DOES 1-10.

Defendants. )

Case No.: 1:16-cv-00301-MRB

## DECLARATION OF DOROTHY SUE MERRYMAN

I, Dorothy Sue Merryman, declare under penalty of perjury, as provided for by 28 U.S.C. § 1746, that the following statements are true:

1. I have personal knowledge of the facts stated in this declaration and can competently testify to the same.
2. I am a Senior Project Manager for Class-Settlement.com (“Class-Settlement”).
3. Class-Settlement provides claims administration services, including class notification and distribution services.
4. I provided a quote for administrative services for this matter, a copy of which is attached as Exhibit 1. This quote was accepted by the parties.
5. At the request of Plaintiff’s counsel, I coordinated the distribution of the Class Notice in this matter and have knowledge of what work was performed.
6. Attached as Exhibit 2 is a copy of the Class Notice that Counsel provided to me.
7. Counsel also provided to me a list of 6,552 fax numbers, along with class member names and addresses associated with those numbers (the “Class List”).

# EXHIBIT B

8. Counsel requested that I fax Exhibit 1 to the numbers on the Class List on three different occasions, and then mail Exhibit 1 to the members for whom the fax was unsuccessful after all attempts were completed, after comparing the list against the U.S. Postal Service's National Change of Address (NCOA) database.

9. Each fax number on the Class List was assigned a unique user ID and password, which was printed on the Class Notice and Claim Form sent to Settlement Class Members.

10. I added one test fax number to the list to ensure the accuracy of the broadcast.

11. On August 19, 2019, I caused Exhibit 2 to be sent by fax to the 6,552 Members on the Class List, after transmitting successfully to the test number. Of the 6,552 fax numbers, 5,445 were sent successfully, and 1,107 failed. Each number was attempted three times.

12. On August 21, 2019, I again caused Exhibit 2 to be sent by fax to the Class List, after first removing the numbers of any members who filed a claim, submitted an opt out request, or sent other correspondence asking not to be contacted further regarding the case, after transmitting successfully to the test number. Of the 6,509 fax numbers, 5,421 were sent successfully, and 1,088 failed. Each number was attempted three times.

13. On August 23, 2019, I once again caused Exhibit 2 to be sent by fax to the Class List, after first removing the numbers of any additional members who filed a claim, submitted an opt out request, or sent other correspondence asking not to be contacted further regarding the case, after transmitting successfully to the test number. Of the 6,490 fax numbers, 5,426 were sent successfully, and 1,064 failed. Each number was attempted three times.

14. On or about August 23, 2019, I caused Exhibit 2 to be sent by U.S. Mail to the 721 members for whom no fax attempt was successful on any attempt.

15. As of October 3, 2019, 159 Notices were returned as undeliverable. A total of 44 of the returned items contained forwarding information, or we were otherwise able to obtain additional address information via skip-tracing, and those items were remailed.

16. On August 16, 2019, Class-Settlement established a Settlement Webpage at [www.class-settlement.com](http://www.class-settlement.com), where, prior to the September 18, 2019 claims deadline, members were able to file a claim using the unique Username and Password printed on the Notice and Claim Form they received by fax or mail. The website is still in operation, and Members are able to continue to view documents related to the case.

17. Members were also able to file claims via a toll-free fax number, and via U.S. Mail.

18. As of October 3, 2019, Class-Settlement received 134 timely and valid claims, and two (2) late but otherwise valid claims.

19. As of October 3, 2019, Class-Settlement received one (1) request to opt out of the settlement, from Sonora Quest Laboratories - Peoria, and no objections to the Settlement.

20. As of August 20, 2019, our invoice for \$17,575.00 was paid in full by Class Counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 4, 2019

  
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Dorothy Sue Merryman